

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested. After entry of the foregoing amendment, Claims 1-7, 10-16, and 19 remain pending in the present application, Claim 9 having been canceled without prejudice or disclaimer by the present amendment. No new matter has been added.¹

By way of summary, the Office Action presented the following issues: Claims 1 and 12-[14] were rejected under 35 U.S.C. § 112, second paragraph, as indefinite; the Office Action suggested amending Claim 13 to more fully comply with 35 U.S.C. § 101; Claims 1-5, 9-14, and 19 were rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 6,275,496 to Burns et al. (hereinafter “Burns”) in view of U.S. Patent No. 6,976,090 to Ben-Shaul et al. (hereinafter “Ben-Shaul”) and U.S. Patent No. 7,020,658 to Hill (hereinafter “Hill”); Claims 6-7 were rejected under 35 U.S.C. § 103(a) as obvious over Burns in view of Ben-Shaul, Hill, and U.S. Patent No. 6,681,298 to Tso et al. (hereinafter “Tso”); and Claims 15-16 were rejected under 35 U.S.C. § 103(a) as obvious over Burns in view of Ben-Shaul, Hill, and U.S. Patent App. Publ’n No. 2002/0002625 to Vange et al. (hereinafter “Vange”).

STATEMENT OF SUBSTANCE OF INTERVIEW

Applicants and Applicants’ representative thank Examiner Truong for the courtesy of the telephonic interviews granted on October 11 and October 13, 2011. During the interviews, amendments clarifying the claims over the applied references were discussed. Claim amendments and comments similar to those presented during the interviews are included herein.

¹ The amendments to independent Claims 1 and 12-14 find support at least in the specification at pages 8-9 and 13.

REJECTIONS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, as indefinite. In particular, the Office Action asserted, “It is unclear whether the claim elements . . . invoke 35 U.S.C. 112, sixth paragraph, because the phrases are modified by sufficient structure, material, or acts for performing the claimed function[s].”² Applicants do not understand what structure is believed to be recited in Claim 1 that precludes application of 35 U.S.C. § 112, sixth paragraph. Applicants therefore have maintained the recitation of the claimed elements.

Claims 1 and 12-14 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly providing insufficient antecedent basis. In particular, the Office Action asserted Claim 1 does not provide sufficient antecedent basis for “removing all files . . . except for files of the vendor.” Although it is believed the claims were sufficiently definite as written, Applicants have amended Claim 1 to recite “storing means . . . for storing a file of another vendor.” During the telephonic interview of October 13, 2011, Examiner Truong indicated such a recitation would be sufficient to overcome the indefiniteness rejection.

Accordingly, Applicants request the withdrawal of the rejections under 35 U.S.C. § 112, second paragraph.

35 U.S.C. § 101

The Office Action suggested amending Claim 13 to recite a “computer-readable medium that stores computer executable instructions.”³ Applicants have amended independent Claim 13 as suggested by Examiner Truong.

² Office Action at 2.

³ Id. at 3-4.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-5, 9-14, and 19 were rejected under 35 U.S.C. § 103(a) as obvious over Burns in view of Ben-Shaul and Hill. In light of the several grounds of rejection on the merits, independent Claims 1 and 12-14 have been amended to clarify the claimed inventions and to thereby more clearly patentably define over the applied references.

Amended Claim 1 is directed to an information processing apparatus, including, in part,

means for transmitting a call sign of a radio station and for transmitting a request to a Uniform Resource Locator (URL) for page information; [and]

means for receiving the URL in response to a transmission of the call sign of the radio station [and] for receiving said page information, which includes identification information . . . , from an external apparatus in response to the request to the URL, . . . the identification information identifying a vendor . . .

Burns, Ben-Shaul, and Hill fail to disclose or suggest those features.

Burns is directed to a local service provider that “has a request handler 111 which manages requests received from . . . subscribers.”⁴ According to Burns, “the subscriber computers run Web browser applications which generate requests in the form of universal resource locators (URLs).”⁵ According to a Burns example of a URL, “The ‘www.microsoft.com’ portion of the URL is the name of the remote host computer which maintains the document.”⁶

The Office Action asserted www.microsoft.com describes identification information.⁷ Even assuming Burns describes receiving page information including www.microsoft.com in response to a request to a URL, Burns does not disclose or suggest that URL is received in response to a transmission of a call sign of a radio station.

⁴ Burns, col. 8, ll. 5-6.

⁵ Id., ll. 7-9.

⁶ Id., ll. 19-21.

⁷ Office Action at 5.

Burns does not disclose or suggest the combination of “means for transmitting a call sign of a radio station and for transmitting a request to a Uniform Resource Locator (URL) for page information; [and] means for receiving the URL in response to a transmission of the call sign of the radio station [and] for receiving said page information, which includes identification information . . . , from an external apparatus in response to the request to the URL, . . . the identification information identifying a vendor,” as recited in amended Claim 1.

Ben-Shaul is directed to a packing services facility that performs an uncompression.⁸ The Office Action relied on Ben-Shaul merely for the feature of registering “content data in an uncompressed format upon a reception of said content [data] in a compress[ed] format from [an] external apparatus.”⁹ Ben-Shaul is silent with regard to a call sign of a radio station.

Hill is directed to a utility which is used to manage data files by deleting data files associated with a search string stored in a search string database.¹⁰ According to Hill, “Upon completion of the utility . . . , the user’s cache is emptied of all data files that are of no interest to the user.”¹¹

The Office Action relied on Hill merely for the feature of “removing all files from said storing means except for files of the vendor.”¹² Hill is silent as to a call sign of a radio station.

Thus, Burns, Ben-Shaul, and Hill, taken alone or in combination, fail to disclose or suggest the combination of “means for transmitting a call sign of a radio station and for transmitting a request to a Uniform Resource Locator (URL) for page information; [and] means for receiving the URL in response to a transmission of the call sign of the radio station

⁸ Ben-Shaul, col. 64, l. 66.

⁹ Office Action at 6-7.

¹⁰ Hill, col. 11, ll. 30-34.

¹¹ Id., ll. 62-64.

¹² Office Action at 6-7.

[and] for receiving said page information, . . . from an external apparatus in response to the request to the URL," as recited in amended Claim 1.

For at least the foregoing reasons, Claim 1 patentably distinguishes over any proper combination of Burns, Ben-Shaul, and Hill.

For at least analogous reasons, independent Claims 12-14 and all associated dependent claims patentably distinguish over any proper combination of Burns, Ben-Shaul, and Hill.

Further, Tso and Vange fail to remedy the above noted deficiencies in Burns, Ben-Shaul, and Hill. Accordingly, the rejections of dependent Claim 6-7 and 15-16 are considered moot.

CONCLUSION

Consequently, in view the present amendment and in light of the foregoing comments, it is respectfully submitted the present application is patentably distinguished over the applied references. The application is therefore in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/09)

Brian R. Epstein
Registration No. 60,329